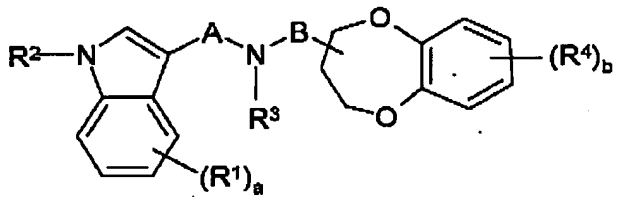
This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) ~~Benzodioxepines of the~~ A benzodioxepine compound of formula I



I

in which

R^1	are, each independently of one another, ~~is selected from~~ alkyl, $(CH_2)_mOD$, $(CH_2)_mCN$, $(CH_2)_mCOR^5$ or $(CH_2)_mCH_2R^5$, ~~$(CH_2)_mCH_2R5$, where m=~~
m	is 0 or 1,
R^2, R^3	are, each independently of one another, ~~is selected from~~ H, or alkyl having 1 to 5 C atoms,
R^4	are, each independently of one another, ~~is selected from~~ alkyl having 1 to 5 C atoms, heteroalkyl having 1 to 5 C atoms, alkoxy having 1 to 5 C atoms, alkoxyalkyl having 2 to 5 C atoms, Hal, CN, COR^5 or OH,
R^5	stands for OD, NH_2, NHD or ND_2,
A	stands for C_nH_{2n}, ~~where n=~~
n	is 2, 3, or 4,
B	stands for C_pH_{2p}, ~~where p=~~
p	is 0, 1, 2, 3 or 4,
D	are, each independently of one another, ~~is selected from~~ H, alkyl having 1 to 5 C atoms, alkoxyalkyl having 2 to 5 C atoms, aryl or aralkyl
a, b	stand for 0, 1 or 2, and

Hal stands for F, Cl, Br or I,

or a pharmaceutically acceptable salt or solvate thereof ~~and physiologically tolerated salts and solvates thereof~~.

2. (Currently Amendedl) ~~Benzodioxepines of the formula I~~ A compound according to Claim 1, wherein ~~characterised in that the radicals~~ R^2 and R^3 stand for H.

3. (Currently Amended) ~~Benzodioxepines of the formula I~~ A compound according to Claim 1, wherein ~~characterised in that the radicals~~ R^2 and R^3 stand for H and at least one radical R^1 stands for $(CH_2)_mCN$.

4. (Currently Amended) ~~Benzodioxepines of the formula I~~ A compound according to Claim 1, wherein ~~characterised in that~~ a $(CH_2)_mCN$ is in the 5-position of the indole ring ~~and a preferably stands for 1 and m preferably stands for 0~~.

5. (Currently Amended) ~~Benzodioxepines of the formula I~~ A compound according to Claim 1, wherein ~~characterised in that~~ A stands for C_nH_{2n} where n = 4 and B stands for C_pH_{2p} where p = 1 or 0.

6. (Currently Amended) ~~Benzodioxepines of the formula I~~ A compound according to Claim 1, wherein ~~characterised in that~~ R^1 stands for $(CH_2)_mCN$ in the 5-position of the indole ring and a stands for 1 and m stands for 0, R^2 and R^3 stand for H, A stands for C_nH_{2n} where n = 4 and B stands for C_pH_{2p} where p = 1 or 0.

7. (Currently Amended) ~~Benzodioxepines of the formula I~~ A compound according to Claim 1, which is ~~selected from the group consisting of~~

N-(3,4-dihydro-2H-1,5-benzodioxepin-3-yl)-4-(5-cyano-3-indolyl)butylamine,

3-{4-[7-methyl-3,4-dihydro-2H-1,5-benzodioxepin-3-ylamino]butyl}indole-5-carbonitrile,

3-{4-(6-methyl-3,4-dihydro-2H-1,5-benzodioxepin-3-ylamino)butyl}indole-5-carbonitrile,

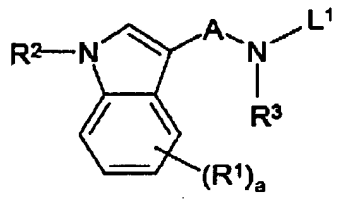
3-[4-(6-methoxy-3,4-dihydro-2H-1,5-benzodioxepin-3-ylamino)butyl]indole-5-carbonitrile,

or ~~and~~

3-[4-(3,4-dihydro-2H-1,5-benzodioxepin-3-yl)methylamino)butyl]indole-5-carbonitrile.

8. (Currently Amended) ~~Process for the preparation of benzodioxepines of the formula I~~ A process for preparing a compound according to Claim 1, comprising ~~characterised in that~~

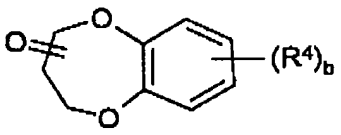
a) reacting a compound of ~~the~~ formula II



II

in which L^1 denotes H or a metal ion and R^1, R^2, R^3, A and a have the ~~the~~ meanings indicated in Claim 1,

b) ~~is reacted~~ with a compound of ~~the~~ formula III



III

~~where, in the formula III,~~ in which R^4 and b have the meanings indicated ~~above and below for the~~ in Claim 1,
~~and optionally~~

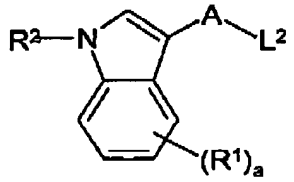
c) ~~a reduction step is optionally carried out~~ optionally reducing the resultant compound, and

d) optionally converting the resultant compound ~~of the formula I is optionally converted~~ into one of its salts by treatment with an acid.

9. (Currently Amended) ~~Process for the preparation of benzodioxepines~~

~~of the formula I~~ A process for preparing a compound according to Claim 1 or a pharmaceutically acceptable salt or solvate thereof, comprising ~~and physiologically tolerated salts and solvates thereof, characterised in that~~

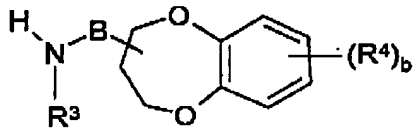
a) reacting a compound of ~~the~~ formula IV



IV

in which L^2 denotes Cl, Br, I, OH, a reactively esterified OH group or a diazonium group and R^1, R^2, A and a have the meanings indicated in Claim 1,

b) ~~is reacted~~ with a compound of ~~the~~ formula V



V

in which R^3, R^4, B and b have the meanings indicated in Claim 1,
and optionally

c) converting the resultant compound of ~~the~~ formula I ~~is converted~~ into one of its salts by treatment with an acid.

10-11. (Cancelled)

12. (Currently Amended) ~~Process for the preparation of~~ A process for preparing a pharmaceutical composition, comprising binging into a dosage form ~~characterised in that~~ at least one compound of ~~the~~ formula I according to Claim 1 or a pharmaceutically acceptable salt or solvate thereof ~~and/or one of its physiologically tolerated salts or solvates is~~

~~brought into a suitable dosage form together~~ with at least one pharmaceutically acceptable solid, liquid or semi-solid excipient or adjuvant.

13. (Currently Amended) ~~Pharmaceutical~~ A pharmaceutical composition, comprising a ~~characterised in that it comprises an effective content of at least one~~ compound of ~~the~~ formula I according to Claim 1 or a pharmaceutically acceptable salt or solvate thereof, and a pharmaceutically acceptable excipient or adjuvant ~~and/or one of its physiologically tolerated salts or solvates~~.

14. (New) A compound according to Claim 4, wherein a stands for 1.

15. (New) A compound according to Claim 4, wherein m stands for 0.

16. (New) A compound according to claim 1, which is said compound or a pharmaceutically acceptable salt of said compound.

17. (New) A compound according to Claim 1, which is
N-(3,4-dihydro-2H-1,5-benzodioxepin-3-yl)-4-(5-cyano-3-indolyl)butylamine,
3-{4-[7-methyl-3,4-dihydro-2H-1,5-benzodioxepin-3-ylamino]butyl}indole-5-carbonitrile,
3-{4-(6-methyl-3,4-dihydro-2H-1,5-benzodioxepin-3-ylamino)butyl}indole-5-carbonitrile,
3-[4-(6-methoxy-3,4-dihydro-2H-1,5-benzodioxepin-3-ylamino)butyl]indole-5-carbonitrile,
or
3-[4-(3,4-dihydro-2H-1,5-benzodioxepin-3-yl)methylamino)butyl]indole-5-carbonitrile,
or a pharmaceutically acceptable salt thereof.

18. (New) A compound according to Claim 1, wherein R^2 and R^3 stand for H, or a pharmaceutically acceptable salt thereof.

19. (New) A compound according to Claim 1, wherein R^2 and R^3 stand for H and at least one radical R^1 stands for $(CH_2)_mCN$, or a pharmaceutically acceptable salt thereof.

20. (New) A compound according to Claim 1, wherein a $(CH_2)_mCN$ is in the 5-position of the indole ring, or a pharmaceutically acceptable salt thereof.

21. (New) A compound according to Claim 1, wherein A stands for C_nH_{2n} where n = 4 and B stands for C_pH_{2p} where p = 1 or 0, or a pharmaceutically acceptable salt thereof.

22. (New) A compound according to Claim 1, wherein R^1 stands for $(CH_2)_mCN$ in the 5-position of the indole ring and a stands for 1 and m stands for 0, R^2 and R^3 stand for H, A stands for C_nH_{2n} where n = 4 and B stands for C_pH_{2p} where p = 1 or 0, or a pharmaceutically acceptable salt thereof.